

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF SUNNYVALE RECOMMENDING ADOPTION OF THE  
PROPOSED AMENDMENT TO THE REDEVELOPMENT PLAN  
FOR THE CENTRAL CORE REDEVELOPMENT PROJECT**

WHEREAS, the Redevelopment Agency of the City of Sunnyvale ("Agency") has submitted to the Planning Commission of the City of Sunnyvale (the "Planning Commission") a proposed Amendment (the "Plan Amendment") to the Redevelopment Plan for the Central Core Redevelopment Project (the "Redevelopment Plan"); and

WHEREAS, Plan Amendment incorporates the City's General Plan land uses and land use standards, as recently amended, into the Redevelopment Plan, and the Plan Amendment would facilitate redevelopment of the Central Core Redevelopment Project in a manner consistent with the General Plan, as amended; and

WHEREAS, Section 33453 of the Community Redevelopment Law (Health and Safety Code, Section 33000 et seq.) provides that the Planning Commission is to review the proposed Plan Amendment and make its report and recommendation thereon to the Agency and the City Council of the City of Sunnyvale (the "City Council"), including a determination whether the Plan Amendment conforms to the General Plan of the City of Sunnyvale; and

WHEREAS, Section 65402 of the Government Code provides in part: "(a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposed, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building, or structure have been submitted to and reported upon by the planning agency as to the conformity with said adopted general plan or part thereof . . . "; and

WHEREAS, Section 65402 of the Government Code provides in part: "(c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof . . . "; and

WHEREAS, the Planning Commission's report and recommendation, including matters referred to in Section 65402 of the Government Code, are to be made to the Agency and the City Council for their consideration in acting on the adoption of the Plan Amendment; and

WHEREAS, the Planning Commission has reviewed the City of Sunnyvale General Plan, as amended, the Downtown Specific Plan, the proposed Plan Amendment and the staff report accompanying this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SUNNYVALE THAT:

1. Pursuant to Section 33346 of the Community Redevelopment Law, the Redevelopment Plan as amended by the proposed Plan Amendment conforms to the General Plan;

2. Pursuant to Section 65402 of the Government Code, acquisition of property by the Agency, if any, pursuant to the Redevelopment Plan, as amended by the proposed Plan Amendment, conforms to the General Plan;

3. The Planning Commission recommends to the City Council approval and adoption of the Plan Amendment and in the event that prior to its adoption, the City Council desires to make any minor, technical, or clarifying changes to the Plan Amendment (including any changes to the limit on tax increment the Agency can collect under the Redevelopment Plan (the "TI Cap")), the Planning Commission hereby finds and determines that any such minor, technical, or clarifying changes (including any changes to the TI Cap) need not be referred to it for further and recommendation, and hereby waives its report and recommendation under Section 33455 of the Community Redevelopment Law concerning and such change; and

4. The Planning Commission deems this Resolution to be the report and recommendation of the Planning Commission concerning the proposed Plan Amendment and contemplated public projects and activities under the Redevelopment Plan, as amended by the proposed Plan Amendment, as required under Section 33453 of the Community Redevelopment Law.

Adopted by the Planning Commission at a regular meeting held on October 10, 2005, by the following vote:

AYES:

NOES:

ABSTAIN

ABSENT:

ATTEST:

City Clerk

APPROVED:

By:

\_\_\_\_\_  
Commission Secretary

\_\_\_\_\_  
Charles Hungerford, Chair